I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class final in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on June 10, 2002

Dawn M. Berry
Name (Print)

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

(Note: Tumor antigen)

)

(Note: Tumor antigen)

<u>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</u> <u>PURSUANT TO 37 CFR 1.97(b)</u>

Assistant Commissioner for Patents Washington, D.C. 20231

June 10, 2002

Sir:

The attention of the Patent and Trademark Office is hereby directed to the document listed on the attached Form PTO-1449. One copy of this document is attached.

This Information Disclosure Statement is being submitted after expiration of the three month period following filing of the above-captioned application, but before receipt of an Office Action on the merits.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in

Information Disclosure Statement U.S. Patent Application No. 10/062,257

this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is hereby authorized to charge any fee (or credit any overpayment) associated with this Statement to Deposit Account No. 50-0925. A duplicate of this authorization is attached.

Respectfully submitted

Luke A. Kilyk

Reg. No. 33,251

Atty. Docket No. 3190-014 KILYK & BOWERSOX, P.L.L.C. 53 A East Lee Street Warrenton, VA 20186

Tel: (540) 428-1701 Fax: (540) 428-1720

Enclosures: PTO-1449, w/1 document



JUN 1 8 2002

Page 1 of 1 Application No. 10/062/257 FORM PTO-1449 (REV 7-80) Atty. Docket No. 3190-014 APPLICANT: Kyogo ITOH INFORMATION DISCLOSURE STATEMENT Filing Date: February 1, 2002 Group Art Unit: 1616 **U.S. PATENT DOCUMENTS** DOCUMENT DATE **EXAMINER'S NAME SUB-CLASS CLASS** FILING DATE, IF NUMBER **INITIALS APPROPRIATE** FOREIGN PATENT DOCUMENTS DOCUMENT DATE COUNTRY **CLASS** SUB-**TRANSLATION NUMBER CLASS** YES NO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) International Preliminary Examination Report Form PCT/IB/338 (July 1996) **EXAMINER DATE CONSIDERED** *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through

citation if not in conformance and not considered. Include copy of this form with next communication to applicant.